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Before the
LIBRARY OF CONGRESS
United States Copyright Office
Copyright Arbitration Royalty Panel
Washington, D.C. 20024

In the Matter Of)	
ADJUSTMENT OF THE RATES FOR)	Docket No. 96-6 CARP NCBRA
NONCOMMERCIAL EDUCATIONAL)	
BROADCASTING COMPULSORY LICENSE)	
	,	

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys on behalf of the respective parties herein that:

- 1. AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS ("ASCAP") shall submit to the Copyright Arbitration Royalty Panel ("CARP") the further amended direct testimony ("further testimony") of Dr. Peter Boyle ("Dr. Boyle") and deliver copies thereof to the attorneys for NATIONAL PUBLIC RADIO, PUBLIC BROADCASTING SERVICE and CORPORATION FOR PUBLIC BROADCASTING (collectively, "Public Broadcasters") and for BROADCAST MUSIC, INCORPORATED ("BMI") no later than March 17, 1998; provided, that the further testimony shall be based upon the data produced heretofore to the attorneys for Public Broadcasters and BMI;
- 2. Dr. Boyle shall testify before the CARP on March 19, 1998 and at such times as the latter shall direct; he shall be available for cross examination both (a) on that day and (b) again after the presentation of Public Broadcasters' testimony on their direct case in this proceeding on such day as is designated by the CARP and the attorneys for Public Broadcasters;
- 3. Public Broadcasters shall be given an immediate credit of \$22,000 against the payment of whatever license fee is ultimately fixed by the CARP in favor of ASCAP in this proceeding;

4. Public Broadcasters shall withdraw and discontinue with prejudice their "Motion to Strike Certain Testimony" of Dr. Peter Boyle, dated February 18, 1998, including without limiting the generality of the foregoing, the request of the Public Broadcasters to strike and their claims therein stated for compensation or costs.

Weil, Gotshal & Manges LLP

y <u>X</u>

A Member of the Firm

Attorneys for Public Broadcasters

Hughes, Hubbard & Reed LLP

bv

A Member of the Firm Attorneys for BMI

White & Case LLP

by

A Member of the Firm

Attorneys for ASCAP